

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID C. HERMAN,

Defendant.

8:09CR445

ORDER

Defendant David C. Herman appeared before the court on July 26, 2018 on a Petition for Offender Under Supervision [126]. The defendant was represented by Thomas M. Petersen, and the United States was represented by Assistant U.S. Attorney John E. Higgins. The government did not request detention, therefore, the defendant was not entitled to a preliminary examination. The defendant was released on current terms and conditions of supervision with the additional condition of being placed on SoberLink.2 Alcohol Monitoring for a maximum of 90 days. I find that the Petition alleges probable cause and that the defendant should be held to answer for a final dispositional hearing before Senior Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on September 11, 2018, at 1:00 p.m. The defendant must be present in person.
2. The defendant is released on current conditions of supervision.
3. The defendant shall be placed on SoberLink.2 Alcohol Monitoring a maximum of 90 days. SoberLink.2 monitoring shall commence according to a schedule arranged by the U.S. Probation Office. While in the program, the defendant will carry a portable breath testing device and provide breath tests when prompted, via text, by the device. The defendant agrees to keep the equipment fully charged. The defendant shall also be responsible for the costs of the testing program.

Dated this 26th day of July, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge